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ALL AGENCY MEMORANDUM #2006-13

March 30, 2006

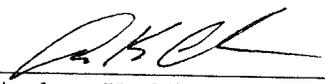
TO: All Agencies

FROM: Andrew K. Clinger, Director
Department of Administration

SUBJECT: RETROACTIVE CONTRACTS

As a reminder, pursuant to NRS 284.173 (6), contracts for services subject to approval by the Board of Examiners do not become effective until so approved by the Board of Examiners. Contracts should not contain retroactive effective dates unless extraordinary circumstances exist that may justify the use of such a provision. If a proposed contract contains a retroactive date to cover services already rendered to the agency, and the Board of Examiners does not approve that contract, the agency could be subjecting the State to litigation for payment of services already rendered.

The Clerk of the Board of Examiners has the authority to approve contracts for amounts less than \$10,000.00; or, in contracts to preserve the life and property, for amounts less than \$25,000.00. When circumstances arise that cause an agency the need to enter into a contract prior to the next Board of Examiners meeting, the agency may submit a short term contract to the Clerk for approval, subject to the stated monetary limits, to cover the time period prior to the next Board of Examiners' meeting. The Board will then have an opportunity to appropriately review the contract and determine whether to approve a longer-term contract.



Andrew K. Clinger, Director